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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,408	04/03/2001	Hiroyasu Kurashina	81752.0105	5020

26021 7590 06/16/2005

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EXAMINER

MILIA, MARK R

ART UNIT PAPER NUMBER

2622

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/826,408

Applicant(s)

KURASHINA, HIROYASU

Examiner

Mark R. Milia

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-37 and 41-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 and 41-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment was received on 1/19/05, and has been entered and made of record. Currently, claims 1-37 and 41-43 are pending.

***Specification***

2. Applicant's amendment to the specification received on 1/19/05, in particular the abstract, has overcome the objection as cited in the previous Office Action. Therefore the objections have been withdrawn.

***Claim Rejections - 35 USC § 112***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.
4. Applicant's amendment to claim 11 received on 1/19/05 has provided sufficient antecedent basis and has overcome the rejection as cited in the previous Office Action. Therefore the rejection is withdrawn.

***Response to Arguments***

5. Applicant's arguments filed 1/19/05 have been fully considered but they are not persuasive.

In response to applicant's arguments regarding the rejection of claim 1, wherein on page 13, the applicant explains how the current invention differs from the teachings of Furuya. Particularly, the applicant states that the current invention has, for example, a tape cartridge that has an attached detection label that contains desired configuration information, the desired configuration information being information in which the user can set as he/she desires. The examiner agrees with applicant, in that the desired configuration information, which is set by a user, and the type of information contained in the desired configuration information, is different than what Furuya teaches.

However, this difference is not apparent in the current claim wording. The explanation of the "desired configuration information" is not sufficient to clearly determine what kind of information is being claimed. Applicant's arguments are based solely upon reference to the specification, in which a more detailed explanation of desired configuration information is located, but the wording of the particular claim gives way to a much broader interpretation of desired configuration information. Therefore, Furuya can still be interpreted as having a tape cartridge that has an attached detection label that contains desired configuration information. Support for this can be found in paragraphs [0034]-[0035] and [0043]-[0045] of Furuya. In these paragraphs Furuya discloses a tape cartridge that has an attached detection label containing desired configuration

information pertaining to printing information, specification information, ink color information, and the like. Information can also be set by the user using the tape writer (10) and printed on the display seal (5) that can be attached to the tape cartridge.

In response to applicant's arguments regarding the rejection of claim 14, wherein on pages 13-14, the applicant explains how the current invention differs from the teachings of Furuya and Zinsmeyer. Particularly, the applicant states that the references fail to teach, "printing a to-be-detected image representative of said desired configuration information on said first tape...". As discussed above with reference to claim 1, it has been shown that Furuya teaches such a system. Further, it is obvious that Furuya can print out a plurality of detection labels that can be attached to a plurality of tape cartridges, which can be mounted in a plurality of tape or label printers, and used to print labels. Zinsmeyer teaches the use of a plurality of tape cartridges in such a way as enhance the features and capabilities found in Furuya. Therefore, Furuya and Zinsmeyer can still be interpreted as discloses all the limitations of claim 14.

In response to applicant's argument, regarding claim 27, that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case,

motivation to combine the references can be found in Mochinaga (paragraphs [0001]-[0009] and in the knowledge generally available to one of ordinary skill in the art.

In response to applicant's arguments regarding the rejection of claims 5, 20, and 32, wherein on page 14, the applicant asserts that the combined references do not cure the deficiencies of Furuya. As discussed above in reference to claim 1, Furuya does teach desired configuration information and therefore teaches such claim limitation as put forth in claims 5, 20, and 32.

6. Therefore, the rejection of claims 1-37 and 41-43, as cited in the Office Action dated 11/04/04, is maintained and repeated in this Office Action.

### ***Claim Rejections - 35 USC § 102***

7. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent Document number 09-039347 to Furuya et al. cited in Information Disclosure Statement dated July 29, 2002.

Regarding claim 1, Furuya discloses a tape printing apparatus comprising first tape cartridge-mounting means mounting first tape cartridge accommodating first tape (see paragraphs [0009], [0031]-[0033], and Drawings 1 and 2), desired configuration information input means for inputting desired configuration information (see paragraphs [0034]-[0035]), and to-be-detected image-printing means for printing a to-be-detected image representative of said desired configuration information on said first tape such that said to-be-detected image can be detected by predetermined detection means,

thereby enabling production of a detection label for being labeled on an arbitrary tape cartridge, with said to-be-detected image printed on said detection label (see paragraphs [0034]-[0035], [0043]-[0045], and [0047]-[0048], and Drawing 1, reference states that an adhesive label can be printed and applied to a tape cassette which carries printing information, specification information, ink information, or the like).

Regarding claim 7, Furuya discloses a tape cartridge labeled with a detection label printed with a to-be-detected image representative of desired configuration information for use in printing (see paragraphs [0034]-[0035], [0043], and [0047], and Drawing 1).

Regarding claim 11, Furuya discloses a tape printing apparatus comprising: tape cartridge-mounting means for mounting a tape cartridge labeled with a detection label formed by cutting off a first tape printed with a to-be-detected image representative of desired configuration information for use in printing (see paragraphs [0009], [0031]-[0035], [0043], and [0047], and Drawings 1 and 2), detection means detecting said to-be-detected image which is printed on said detection label labeled on said tape cartridge (see paragraph [0035] lines 12-15), and an image-printing means for printing an image on a second tape based on said desired configuration information represented by said to-be-detected image (see paragraphs [0035] lines 5-6, [0037]-[0038], reference teaches the printing of a character string corresponding to the specification information placed on the cartridge in the form of a barcode or the like).

Regarding claim 2, Furuya discloses the apparatus discussed above in claim 1, and further discloses wherein said desired configuration information contains

information of designation of at least one of a typeface, a decoration, and a color, for use in printing (see paragraph [0034] lines 5-12).

Regarding claim 3, Furuya discloses the apparatus discussed above in claim 1, and further discloses wherein said to-be-detected image is an image of a pattern formed by patterning said desired configuration information in a predetermined format (see paragraph [0047] and Drawing 1).

Regarding claim 4, Furuya discloses the apparatus discussed above in claim 3, and further discloses wherein said pattern represents a code formed by encoding said desired configuration information (see paragraph [0034], [0035] lines 12-15, [0043] lines 4-10, and [0047], and Drawing 1).

Regarding claim 6, Furuya discloses the apparatus discussed above in claim 4, and further discloses wherein said pattern image is a unicolor pattern image that represents said code in a single color (see paragraph [0034] and Drawing 1).

Regarding claim 8, Furuya discloses the apparatus discussed above in claim 7, and further discloses wherein said detection label is formed by cutting off a first tape, the tape cartridge accommodating a second tape (see paragraphs [0035] lines 6-7 and 12-15, and [0047]).

Regarding claim 9, Furuya discloses the apparatus discussed above in claim 8, and further discloses wherein using a tape printing apparatus comprising first tape cartridge mounting means for mounting first tape cartridge accommodating said first tape (see paragraphs [0009], [0031]-[0033], and Drawings 1 and 2), desired configuration information input means for inputting said desired configuration



information (see paragraphs [0034]-[0035]), and to-be-detected image-printing means for printing said to-be-detected image representative of said desired configuration information on said first tape such that said to-be-detected image can be detected by predetermined detection means (see paragraphs [0034]-[0035], [0043]-[0045], and [0047]-[0048], and Drawing 1, reference states that an adhesive label can be printed and applied to a tape cassette which carries printing information, specification information, ink information, or the like).

Regarding claim 10, Furuya discloses the apparatus discussed above in claim 9, and further discloses a tape cartridge which accommodates said first tape as said second tape, and can be mounted in said tape printing apparatus as said first tape cartridge (see paragraph [0035] lines 12-15, reference states that each time a tape cartridge is input detection of specification information is executed).

Regarding claim 12, Furuya discloses the apparatus discussed above in claim 11, and further discloses including character string input means for inputting a character string having at least one character arranged therein (see paragraph [0035] lines 1-6), wherein said desired configuration information represented by said to-be-detected information includes information concerning printing of the input character string (see paragraph [0035]), and wherein said image printing means prints said print images based on the input character string according to said desired configuration information (see paragraph [0035], reference shows after character string has been input the tape cartridge undergoes detection of specification information that will ultimately decide the manner in which the character string will be printed).

Regarding claim 13, Furuya discloses the apparatus discussed above in claim 11, and further discloses wherein said print image is an image identical to said to-be-detected image (see paragraph [0047], reference shows that the image printed can be a barcode or the like and adhered to the tape cartridge which stores specification information used for printing).

***Claim Rejections - 35 USC § 103***

8. Claims 14-19 and 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furuya in view of U.S. Patent No. 5383733 to Zinsmeyer et al.

Regarding claim 14, Furuya discloses a label-producing method comprising the steps of: mounting a first tape cartridge accommodating a first tape in a first tape printing apparatus (see paragraphs [0009], [0031]-[0035], and Drawings 1 and 2), inputting desired configuration information to said tape printing apparatus (see paragraph [0035] lines 1-15 and [0043] lines 4-10), and printing a to-be-detected image representative said desired configuration information on said first tape by using said first tape printing apparatus such that said to-be-detected image can be detected by predetermined detection means (see paragraphs [0038] lines 5-8, [0034], [0043], [0047], and Drawing 1), producing a detection label by cutting off a portion including said to-be-detected image from said first tape (paragraphs [0035] lines 6-7, [0047], and Drawing 1).

Furuya does not disclose expressly labeling said detection label on a second tape cartridge accommodating printing apparatus including said predetermined

detection means; on said detection label labeled on said second tape cartridge, by said predetermined detection means of said second tape printing apparatus, printing a print image on said second tape dispensed from said second tape cartridge based on said desired configuration information represented by said and including said print image from said second tape (it is obvious that Furuya can print out a plurality of detection labels that can be attached to a plurality of tape cartridges, which can be mounted in a plurality of tape or label printers, and used to print labels).

Zinsmeyer discloses a rotatable turret capable of holding a plurality of tape cassettes imprinted or affixed with barcodes identifying the ribbon type, color, and the like, switching the cassettes as needed to correctly print the desired image or character string, and a barcode reader for selecting the correct cassette to accurately print the desired image of character string (see column 17 line 36-column 18 line 16).

Furuya & Zinsmeyer are combinable because they are from the same field of endeavor, identifiable tape cassettes for specific configuration printing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the plurality of tape cassettes aspect of Zinsmeyer with the tape printer of Furuya.

The suggestion/motivation for doing so would have been to provide multiple tape printing apparatuses and a plurality of tape cassettes that would be interchangeable to provide ease of use with less burden on the user and creating more compatibility between apparatuses which serve the same purpose of printing out labels based on specific configuration information.

Therefore, it would have been obvious to combine Zinsmeyer with Furuya to obtain the invention as specified in claim 14.

Regarding claim 15, Furuya and Zinsmeyer do not disclose expressly wherein said first tape printing apparatus and said second tape printing apparatus are an identical tape printing apparatus.

However, at the time of the invention, it would have been obvious to a person of ordinary skill in the art that there would exist a plurality of identical tape printing apparatuses to provide interchangeable tapes and compatibility between apparatuses.

Therefore, although only one apparatus is described by Furuya and Zinsmeyer, it is known in the art that a multitude of identical apparatuses exist that execute the same functions as previously described.

Regarding claim 16, Furuya does not disclose expressly wherein said first tape cartridge and said second tape cartridge are an identical tape cartridge.

Zinsmeyer discloses a plurality of tape cartridges mounted to a turret which rotate and exchange position with a cartridge currently in use to correctly print the desired image or character string (see column 17 lines 36-60, reference shows that the cartridges are of an identical type varying only by color or the like which makes up the specification of the cartridge used to accurately print the desired image or character string therefore the reference is analogous to the claimed element).

Regarding claim 17, Furuya and Zinsmeyer disclose the apparatus discussed above in claim 14, and Furuya further discloses wherein said desired configuration

information contains information of designation of at least one of a typeface, a decoration, and a color, for use in printing (see paragraph [0034] lines 5-12).

Regarding claim 18, Furuya and Zinsmeyer disclose the apparatus discussed above in claim 14, and Furuya further discloses wherein said to-be-detected image is an image of a pattern formed by patterning said desired configuration information in a predetermined format (see paragraph [0047] and Drawing 1).

Regarding claim 19, Furuya and Zinsmeyer disclose the apparatus discussed above in claim 18, and Furuya further discloses wherein said pattern represents a code formed by encoding said desired configuration information (see paragraph [0034], [0035] lines 12-15, [0043] lines 4-10, and [0047], and Drawing 1).

Regarding claim 21, Furuya and Zinsmeyer disclose the apparatus discussed above in claim 19, and Furuya further discloses wherein said pattern image is a unicolor pattern image that represents said code in a single color (see paragraph [0034] and Drawing 1).

Regarding claim 22, Furuya and Zinsmeyer discloses the apparatus discussed above in claim 14, and Furuya further discloses including character string input means for inputting a character string having at least one character arranged therein (see paragraph [0035] lines 1-6), wherein said desired configuration information represented by said to-be-detected information includes information concerning printing of the input character string (see paragraph [0035], and wherein said image printing means prints said print images based on the input character string according to said desired configuration information (see paragraph [0035], reference shows after character string

has been input the tape cartridge undergoes detection of specification information that will ultimately decide the manner in which the character string will be printed).

Regarding claim 23, Furuya and Zinsmeyer discloses the apparatus discussed above in claim 14, and Zinsmeyer further discloses wherein said image is a second to-be-detected image which is an image identical to said to-be-detected image (see column 17 line 36-column 18 line 16, reference shows that each tape cassette has an identical barcode that identifies the ribbon type, color, and the like which is read by a barcode reader to select the correct ribbon for printing which is analogous to the claimed element as both hold specific configuration information relating to the tape cassette).

Regarding claim 24, Furuya discloses a label producing method that allows a user to print a label containing specification information relating to the attributes of a tape cassette and affix the label to the cassette in the form of a barcode or the like. Furuya also disclose the tape writing apparatus detects the specification information of the tape cassette when the cassette is placed into the apparatus, the tape writing apparatus capable of detecting a plurality of different cassettes (see paragraphs [0009], [0031]-[0038], [0043]-[0048], and Drawings 1 and 2).

Furuya does not disclose expressly a label-producing method further comprising the steps of: labeling a second detection label to a third tape cartridge accommodating a third tape, said second detection label being a print image label produced by cutting off a portion including said second to-be-detected image which is printed on said second tape by said second tape printing apparatus, from said second tape, mounting said third

tape cartridge in a third tape printing apparatus including said predetermined detection means, detecting said second to-be-detected image which is printed on said second detection label labeled on said third tape cartridge, by using said predetermined detection means of said third tape printing apparatus, printing a second print image which is different from said second to-be-detected image, on said third tape dispensed from said third tape cartridge, based on said desired configuration information represented by said second to-be-detected image, and producing a second print image label by cutting off a portion including said second print image from said third tape.

Zinsmeyer discloses a method of reading a plurality of different tape cassettes all with barcodes affixed to or imprinted on identifying a ribbon type, color, or the like to correctly print an image or character string (see column 17 line 36-column 18 line 16).

Zinsmeyer does not disclose expressly a label-producing method further comprising the steps of: labeling a second detection label to a third tape cartridge accommodating a third tape, said second detection label being a print image label produced by cutting off a portion including said second to-be-detected image which is printed on said second tape by said second tape printing apparatus, from said second tape, mounting said third tape cartridge in a third tape printing apparatus including said predetermined detection means, detecting said second to-be-detected image which is printed on said second detection label labeled on said third tape cartridge, by using said predetermined detection means of said third tape printing apparatus, printing a second print image which is different from said second to-be-detected image, on said third tape dispensed from said third tape cartridge, based on said desired configuration

information represented by said second to-be-detected image, and producing a second print image label by cutting off a portion including said second print image from said third tape.

However, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Zinsmeyer with Furuya to allow for a plurality of label producing apparatuses and a plurality of tape cartridges that contain different detection labels that refer to the specific configuration information for each tape. Having a plurality of tape cartridges and apparatuses allows for greater compatibility by using parts that are interchangeable, which is well known in the art, and the printing of more complex images or character strings can be carried out by replacing the tape cartridges, each with a unique configuration, to aid in the desired output.

Regarding claim 25, Furuya and Zinsmeyer discloses the apparatus discussed above in claim 24, and Furuya further discloses including character string input means for inputting a character string having at least one character arranged therein (see paragraph [0035] lines 1-6), wherein said desired configuration information represented by said to-be-detected information includes information concerning printing of the input character string (see paragraph [0035]), and wherein said image printing means prints said print images based on the input character string according to said desired configuration information (see paragraph [0035], reference shows after character string has been input the tape cartridge undergoes detection of specification information that will ultimately decide the manner in which the character string will be printed).



Regarding claim 26, Furuya and Zinsmeyer do not disclose expressly wherein said second tape printing apparatus and said third tape printing apparatus are an identical printing apparatus.

However, at the time of the invention, it would have been obvious to a person of ordinary skill in the art that there would exist a plurality of identical tape printing apparatuses to provide interchangeable tapes and compatibility between apparatuses.

Therefore, although only one apparatus is described by Furuya and Zinsmeyer, it is known in the art that a multitude of identical apparatuses exist that execute the same functions as previously described.

Claims 27-31 and 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furuya in view of Japanese Patent Document number 2000006501 to Mochinaga cited in Information Disclosure Statement dated July 29, 2002. Computer translation used for reference and attached to Office Action.

Regarding claim 27, Furuya discloses a tape cartridge bearing a to-be-detected image in a manner such that said to-be-detected image can be detected by a predetermined detection means (see paragraph [0034] and [0035] lines 11-15).

Furuya does not disclose expressly wherein said to-be-detected image is a character string information image that represents character string information for printing an image of a fixed-form character string having at least one character arranged therein.

Mochinaga discloses wherein said to-be-detected image is a character string information image that represents character string information for printing an image of a fixed-form character string having at least one character arranged therein (see paragraphs [0024]-[0025], [0038]-[0040], and [0045] and abstract, reference teaches a character string information part of a tape cassette indicating properties of the tape and an additional character string that is to be printed out that is stored in memory).

Furuya & Mochinaga are combinable because they are from the same field of endeavor, printing labels based on identification information from a tape cassette.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the character string storage and processing of Mochinaga with the print and tape cassette system of Furuya.

The suggestion/motivation for doing so would have been to provide both ribbon properties and character string properties of a tape cassette to allow more accurate printing of a desired job with less required user intervention (see paragraphs [0001]-[0009] of Mochinaga).

Therefore, it would have been obvious to combine Mochinaga with Furuya to obtain the invention as specified in claim 27.

Regarding claim 28, Furuya and Mochinaga disclose the system above in claim 27, and Mochinaga further discloses wherein said to-be-detected image is said image of said fixed-form character string (see paragraphs [0036]-[0038]).

Regarding claim 29, Furuya and Mochinaga disclose the system above in claim 27, and Mochinaga further discloses wherein said to-be-detected image is a designation

image representative of designation of selection of one of registered fixed-form character string images (see paragraphs [0036]-[0040]).

Regarding claim 30, Furuya and Mochinaga disclose the system above in claim 29, and Furuya further discloses wherein said to-be-detected image is an image of a pattern formed by patterning said desired configuration information in a predetermined format (see paragraph [0047] and Drawing 1).

Regarding claim 31, Furuya and Mochinaga disclose the system above in claim 30, and Furuya further discloses wherein said pattern represents a code formed by encoding said desired configuration information (see paragraph [0034], [0035] lines 12-15, [0043] lines 4-10, and [0047], and Drawing 1).

Regarding claim 33, Furuya and Mochinaga disclose the system above in claim 31, and Furuya further discloses wherein said pattern image is a unicolor pattern image that represents said code in a single color (see paragraph [0034] and Drawing 1).

Regarding claim 34, Furuya and Mochinaga disclose the system above in claim 31, and Furuya further discloses wherein said to-be-detected image is printed or formed on a surface of a member attached to a cartridge casing (see paragraphs [0047]-[0048] and Drawing 1).

Regarding claim 35, Furuya and Mochinaga disclose the system above in claim 31, and Furuya further discloses wherein said member attached to said cartridge casing label affixed to surface of said cartridge casing (see paragraphs [0047]-[0048] and Drawing 1).

Regarding claim 36, Furuya and Mochinaga disclose the system above in claim 31, and Furuya further discloses wherein said member attached to said cartridge casing plate attached to a surface said cartridge casing (see paragraphs [0047]-[0048] and Drawing 1).

Regarding claim 37, Furuya and Mochinaga disclose the system above in claim 31, and Furuya further discloses wherein said to-be-detected image is an image printed or formed on surface of said cartridge casing (see paragraphs [0047]-[0048] and Drawing 1).

Claims 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zinsmeyer in view of Mochinaga.

Regarding claim 41, Zinsmeyer discloses a tape printing method comprising the steps of mounting a tape cartridge (see column 6 line 65-column 7 line 37 and column 17 line 36-column 18 line 16) and detecting a to-be-detected image that said tape cartridge bears (see column 17 line 36-column 18 line 16).

Zinsmeyer does not disclose expressly printing a fixed-form character string image based character string information represented by said to-be-detected image.

Mochinaga discloses printing a fixed-form character string image based character string information represented by said to-be-detected image (see paragraphs [0024]-[0025], [0038]-[0040], and [0045] and abstract, reference teaches a character string information part of a tape cassette indicating properties of the tape and an additional character string that is to be printed out that is stored in memory).

Zinsmeyer & Mochinaga are combinable because they are from the same field of endeavor, printing labels based on identification information from a tape cassette.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the character string storage and processing of Mochinaga with the system of Zinsmeyer.

The suggestion/motivation for doing so would have been to provide a system that would allow a plurality of tape cassettes to be stored and ready for deployment that contain both different colors and types as well as different preset character strings for faster printing and less required user intervention.

Therefore, it would have been obvious to combine Mochinaga with Zinsmeyer to obtain the invention as specified in claim 41.

Regarding claim 42, Zinsmeyer and Mochinaga disclose the system above in claim 41, and Zinsmeyer further discloses a tape printing method further including the step of taking up a tape (see column 18 lines 3-7).

Regarding claim 43, Zinsmeyer discloses a label-producing method comprising the steps mounting a tape cartridge (see column 6 line 65-column 7 line 37 and column 17 line 36-column 18 line 16), detecting a to-be-detected image that said tape cartridge bears (see column 17 line 36-column 18 line 16), and taking up a tape (see column 18 lines 3-7).

Zinsmeyer does not disclose expressly printing a fixed-form character string image based on character string information represented by said to-be-detected image and cutting a portion printed said fixed-form character string image from said tape.

Mochinaga discloses printing a fixed-form character string image based on character string information represented by said to-be-detected image (see paragraphs [0024]-[0025], [0038]-[0040], and [0045] and abstract, reference teaches a character string information part of a tape cassette indicating properties of the tape and an additional character string that is to be printed out that is stored in memory) and cutting a portion printed said fixed-form character string image from said tape (see paragraph [0018]).

Zinsmeyer & Mochinaga are combinable because they are from the same field of endeavor, printing labels based on identification information from a tape cassette.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the character string storage and processing of Mochinaga with the system of Zinsmeyer.

The suggestion/motivation for doing so would have been to provide a system that would allow a plurality of tape cassettes to be stored and ready for deployment that contain both different colors and types as well as different preset character strings for faster printing and less required user intervention.

Therefore, it would have been obvious to combine Mochinaga with Zinsmeyer to obtain the invention as specified in claim 43.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furuya as applied to claim 4 above, and further in view of U.S. Patent No. 5533818 to Bahrabadi.

Furuya does not disclose expressly wherein said code is a binary code.

Bahrabadi discloses wherein said code is a binary code (see column 8 lines 26-47).

Furuya & Bahrabadi are combinable because they are from the same field of endeavor, printing using specific configuration information provided on a tape cassette.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the binary code of Bahrabadi with the system of Furuya.

The suggestion/motivation for doing so would have been to provide an increased number of possible configurations that can be stored on a particular cassette and by which only one binary switch would need to be changed to affect the print parameters.

Therefore, it would have been obvious to combine Bahrabadi with Furuya to obtain the invention as specified in claim 5.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furuya and Zinsmeyer as applied to claim 19 above, and further in view of Bahrabadi.

Furuya and Zinsmeyer do not disclose expressly wherein said code is a binary code.

Bahrabadi discloses wherein said code is a binary code.

Furuya, Zinsmeyer & Bahrabadi are combinable because they are from the same field of endeavor, printing using specific configuration information provided on a tape cassette.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the binary code of Bahrabadi with the system of Furuya and Zinsmeyer.

The suggestion/motivation for doing so would have been to provide an increased number of possible configurations that can be stored on a particular cassette and by which only one binary switch would need to be changed to affect the print parameters.

Therefore, it would have been obvious to combine Bahrabadi with Furuya and Zinsmeyer to obtain the invention as specified in claim 20.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furuya and Mochinaga as applied to claim 31 above, and further in view of Bahrabadi.

Furuya and Mochinaga do not disclose expressly wherein said code is a binary code.

Bahrabadi discloses wherein said code is a binary code.

Furuya, Mochinaga & Bahrabadi are combinable because they are from the same field of endeavor, printing using specific configuration information provided on a tape cassette.



At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the binary code of Bahrabadi with the system of Furuya and Mochinaga.

The suggestion/motivation for doing so would have been to provide an increased number of possible configurations that can be stored on a particular cassette and by which only one binary switch would need to be changed to affect the print parameters. Therefore, it would have been obvious to combine Bahrabadi with Furuya and Mochinaga to obtain the invention as specified in claim 32.

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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*Joseph R. Porzywa*